

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

These amendments:

- Clarify that medical assistance is available for a child for whom Iowa or another state has negotiated an agreement for adoption assistance, regardless of whether that agreement includes a maintenance payment.
- Allow for direct deposit of warrants issued under the Health Insurance Premium Payment (HIPP) program to reimburse the cost of premiums that cannot be paid directly to the insurance carrier.
- Eliminate the requirement for mailing a change report form with every HIPP warrant.
- Update form numbers.

The changes regarding adoption assistance are made to comply with the requirements of the Interstate Compact for Adoption Medical Assistance (ICAMA). Assistance agreements may be negotiated for medical assistance only.

The changes to the HIPP rules will increase efficiency and accuracy of delivery of HIPP reimbursement and generate administrative savings. Participation in direct deposit will be voluntary for the member.

These amendments do not provide for waivers in specified situations because they benefit the persons affected. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on November 18, 2009, as **ARC 8311B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on January 13, 2010.

These amendments are intended to implement Iowa Code sections 249A.3 and 249A.4.

The Department finds that these amendments confer a benefit on members in the HIPP program by streamlining payment issuance and on children under an adoption assistance agreement by clarifying their eligibility for medical assistance. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

These amendments became effective on January 13, 2010.

The following amendments are adopted.

ITEM 1. Amend subrule 75.1(10), introductory paragraph, as follows:

75.1(10) *Individuals under age 21 living in a licensed foster care facility or in a private home pursuant to a subsidized adoption arrangement for whom the department has financial responsibility in whole or in part.* When Iowa is responsible for foster care payment for a child pursuant to Iowa Code section 234.35 and rule 441—156.20(234) or has negotiated an adoption assistance agreement ~~to pay an adoption subsidy~~ for a child pursuant to rule 441—201.5(600), medical assistance shall be available to the child if:

ITEM 2. Amend paragraphs **75.1(16)“c”** and **“d”** as follows:

c. Another state is currently ~~paying~~ has an adoption subsidy assistance agreement in effect for the child.

d. The state ~~paying with~~ the adoption subsidy assistance agreement:

(1) and (2) No change.

ITEM 3. Amend paragraphs **75.2(1)“a”** and **“b”** as follows:

a. Persons who have been approved by the Social Security Administration for ~~supplemental security income~~ Supplemental Security Income shall complete Form ~~470-2304, 470-2304(S), 470-0364,~~

470-0364(M), 470-0364(MS), or 470-0364(S), SSI Medicaid Information, and return it to the department.

b. Persons eligible for Part B of the Medicare program shall make assignment to the department on Form 470-2304, 470-2304(S), 470-0364, 470-0364(M), 470-0364(MS), or 470-0364(S), SSI Medicaid Information.

ITEM 4. Adopt the following **new** paragraph **75.21(9)“e”**:

e. Reimbursements may also be paid by direct deposit to the member’s own account in a financial institution or by means of electronic benefits transfer.

ITEM 5. Amend paragraph **75.21(11)“e”** as follows:

e. The policyholder shall report changes that may affect the availability or cost-effectiveness of the policy within ten calendar days from the date of the change. Changes may be reported by telephone, in writing, or in person. ~~The department sends a HIPP Change Report, Form 470-3007, with all premium payments.~~

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/10/10.